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Security Council

Fifty-third Year

Provisional

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Monday, 2 March 1998, 6.40 p.m.

New York

President:	Mr. Sedat Jobe	(Gambia)
Members:	Bahrain	Mr. Buallay
	Brazil	Mr. Amorim
	China	Mr. Qin Huasun
	Costa Rica	Mr. Berrocal Soto
	France	Mr. Dejammet
	Gabon	Mr. Dangue Réwaka
	Japan	Mr. Owada
	Kenya	Mr. Mahugu
	Portugal	Mr. Monteiro
	Russian Federation	Mr. Lavrov
	Slovenia	Mr. Türk
	Sweden	Mr. Dahlgren
	United Kingdom of Great Britain and Northern Ireland	Sir John Weston
	United States of America	Mr. Richardson

Agenda

The situation between Iraq and Kuwait

Letter dated 25 February 1998 from the Secretary-General addressed to the President of the Security Council (S/1998/166)

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The meeting was called to order at 6.40 p.m.

Expression of thanks to the retiring President

The President: As this is the first meeting of the Security Council for the month of March, I should like to take this opportunity to pay tribute, on behalf of the Council, to His Excellency Mr. Denis Dangue Réwaka, Permanent Representative of Gabon to the United Nations, for his service as President of the Security Council for the month of February 1998. I am sure I speak for all members of the Security Council in expressing deep appreciation to Ambassador Dangue Réwaka for the great diplomatic skill with which he conducted the Council's business last month.

Adoption of the agenda

The agenda was adopted.

The situation between Iraq and Kuwait

Letter dated 25 February 1998 from the Secretary-General addressed to the President of the Security Council (S/1998/166)

The President: I should like to inform the Council that I have received letters from the representatives of Argentina, Malaysia, Mexico and Pakistan in which they request to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Petrella (Argentina), Mr. Hasmy (Malaysia), Mr. Tello (Mexico) and Mr. Kamal (Pakistan) took the seats reserved for them at the side of the Council Chamber.

The President: The Security Council will now begin its consideration of the item on the agenda. The Security Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them a letter dated 25 February 1998 from the Secretary-General addressed to the President of the Security Council, document S/1998/166. Members of the Council also have before them document S/1998/175, which contains the text of a draft resolution submitted by Japan and the United Kingdom of Great Britain and Northern Ireland.

I now give the floor to the Secretary-General.

The Secretary-General: I wish to thank and commend the members of the Security Council for the action they are about to take in relation to the agreement that I secured last week from the Government of Iraq. If respected, if honoured, and if sustained, this agreement could constitute one of the United Nations most important steps in addressing the consequences of Iraq's invasion of Kuwait seven years ago.

I should like to take this opportunity to make clear to the entire international community the nature, the demands and the promise of this agreement.

I went to Baghdad with the full authorization of all members of the Security Council, in search of a peaceful solution to the crisis. I went to fulfil my constitutional obligation under the United Nations Charter and my commitment to the General Assembly at the commencement of my term — a sacred, moral obligation and commitment to act, any time, anywhere, without seeking or accepting instructions from any Government, whenever that action may be helpful in reducing a grave threat to international peace and security.

No one can doubt or dispute that Iraq's refusal to honour its commitments under Security Council resolutions regarding its weapons of mass destruction constituted such a threat. That threat has now been averted.

The mandate of the Security Council has been reaffirmed. The full and unlimited access of United Nations inspectors to any and all sites has been restored. The authority of the Executive Chairman of the United Nations Special Commission (UNSCOM) has been acknowledged and strengthened. Whether the threat to international peace and security has been averted for all time is now in the hands of the Iraqi leadership. It is now for them to comply in practice with what they have signed on paper.

I am under no illusions about the inherent value of this or any other agreement. Commitments honoured are the only commitments that count. Indeed, this agreement, and today's Security Council resolution, will merely be

empty words unless both parties now implement it fully, fairly, and without delay.

For our part, the United Nations stands ready for that implementation. We shall continue to fulfil our long-standing obligation to act with respect for the sovereignty and dignity of every member of the United Nations. We shall continue to strive to improve in every way the cooperation and effectiveness of every United Nations agency. That includes UNSCOM, which, I am proud to repeat, has already destroyed more weapons of mass destruction in Iraq than did the entire Gulf War, and which under this agreement remains in full operational control of the inspection process.

For its part, the Government of Iraq must now fulfil, without obstruction or delay, the continuing obligations that it reaffirmed last week at the very highest level. That means accepting all Security Council resolutions; cooperating fully with United Nations inspection teams; and according immediate, unconditional and unrestricted access to those teams to every area, facility, piece of equipment, individual and means of transportation. Those areas include the eight sites delineated as presidential sites where members of UNSCOM and the International Atomic Energy Agency will be joined by senior diplomats whom I will appoint.

Iraq's complete fulfilment of these obligations is the one and only aim of this agreement. Nothing more and nothing less will make possible the completion of the United Nations-mandated disarmament process and thus speed the lifting of sanctions in accordance with the provisions of Security Council resolutions. With today's Council resolution, however, the Government of Iraq fully understands that if this effort to ensure compliance through negotiation is obstructed, by evasion or deception, as were previous efforts, diplomacy may not have a second chance. No promise of peace and no policy of patience can be without limits.

This agreement tests as never before the will of the Iraqi leadership to keep its word. But it also serves as a call for this union of nations to look to the future, beyond the horizon and to the time when the disarmament process in Iraq has been completed.

All of us can agree that sanctions have added greatly to the Iraqi people's suffering; that the expansion of the oil-for-food programme will reduce that suffering without diluting the disarmament regime; and that someday, sooner or later — and we pray sooner — a fully disarmed and peaceable Iraq would be able to rejoin the family of nations. The United Nations, founded even before the close of the Second World War, over 50 years ago, has an inherent obligation to remember that even the bitterest of enmities among nations do not last for ever. It is therefore not too early for us to think about reconciling peoples once their Governments are at peace.

The agreement reached in Baghdad was neither a victory nor a defeat for any one person, nation or group of nations. Certainly the United Nations and the world community lost nothing, gave away nothing and conceded nothing of substance. But by halting, at least for now, the renewal of military hostilities in the Gulf, it was a victory for peace, for reason and for the resolution of conflict by diplomacy. It underscored, however, that if diplomacy is to succeed, it must be backed both by force and by fairness.

The agreement was also a reminder to the entire world of why this Organization was established in the first place: to prevent the outbreak of unnecessary conflict when the will of the international community can be achieved through diplomacy; to seek and find international solutions to international problems; to obtain respect for international law and agreements from a recalcitrant party without destroying for ever that party's dignity and willingness to cooperate; to secure, in this case, through on-site inspections and negotiations, the assured destruction of weapons of mass destruction that aerial bombardment can never achieve.

If this agreement is fully implemented and leads over time to a new day in the Gulf; if this exercise in diplomacy, backed by firmness, fairness and force, stands the test of time, it will serve as an enduring and invaluable precedent for the United Nations and the world community.

If, ultimately, we have learned the right lessons of this crisis, then this planet's age-old prayer for enduring peace with justice may be within our reach. It was that prayer, from people of every faith and every frontier, that sustained me on my journey for peace in Baghdad. I pledge today, before this Council and the world, to strive, to seek, to find and not to yield in the fulfilment of my duty.

The President: It is my understanding that the Council is ready to proceed to the vote on the draft resolution before it. Unless I hear any objection, I shall put the draft resolution to the vote.

There being no objection, it is so decided.

I shall first call on those members of the Council who wish to make statements before the voting.

Sir John Weston (United Kingdom): Allow me first, Sir, to express on behalf of the United Kingdom our welcome, and our pleasure in seeing you preside over this important meeting today.

Seven years ago this Council established the United Nations Special Commission to destroy or render harmless Iraq's weapons of mass destruction as an integral part of the conditions for the ceasefire which ended the Gulf War. The fact that the Executive Chairman of the Special Commission and his staff, for all their hard work and professionalism, have still not completed their task is the direct result of Iraqi deceit, obstruction and concealment. The crisis which led the Secretary-General to fly to Baghdad in a last-ditch effort to find a diplomatic solution is just the latest and the most serious in a series of Iraqi provocations.

The Secretary-General deserves great credit for what he achieved in Baghdad. As the British Prime Minister said in the British Parliament on the day the Secretary-General returned to New York,

> "I am delighted that Kofi Annan, for whom I have the greatest respect and admiration, has succeeded in this mission and has brought back a signed agreement".

But, as the Secretary-General has himself acknowledged — and has indeed repeated this evening — this was not a success for diplomacy alone but a success for diplomacy firmly backed by the willingness to use force if diplomacy should fail. Does anyone seriously imagine that the same result would have been obtained without this?

Welcome though the agreement is, it is by itself not enough. Whether this crisis is over and the Special Commission is able to complete its work depends on whether the Iraqi regime now implements in practice what it has signed on paper. We are not prepared to see a repeat of the Iraqi behaviour which led to the present crisis. It is for this reason that the United Kingdom, with the able and welcome additional sponsorship of Japan, proposed and sponsored the draft resolution on which the Council is about to vote.

The draft resolution is short and to the point. It sends two important messages: first, that the Security Council is giving its full support to the Secretary-General and to the Memorandum of Understanding which makes clear that Iraq is bound by all the relevant resolutions and is obliged to provide immediate, unconditional and unrestricted access to the Special Commission anywhere in Iraq, not just in the eight so-called presidential sites which have up to now been the pretext for so much delay and obstruction.

The second message is that the Iraqi regime has a choice. If it fulfils its commitments under the Memorandum of Understanding and complies with its obligations under the relevant Security Council resolutions, the way will be open for the lifting of sanctions. There should be a time, to which the beleaguered Iraqi people can look forward, when Iraq is able to return to the respectable company of nations. If, on the other hand, Iraq fails to comply, continues to obstruct the Special Commission's work and fails to honour the agreement it has signed with the Secretary-General, the draft resolution is again absolutely clear: this will not be tolerated. The Council is determined that any violation will result in the severest consequences. This is, at the very least, a statement of the facts which should by now be self-evident, as I explained in greater detail during the Council's earlier consultations. It is a statement of the facts, but it bears solemnly repeating in this draft resolution, since there are none so blind as those who will not see. If the Iraqi regime doubts the will of the international community to make good on that warning, it will, not for the first time, be making a grave mistake.

There is a great need at such moments to face up with courage and intellectual honesty to unpalatable truths. Regional security, the future of non-proliferation under international auspices, and the authority of the United Nations and its Secretary-General are all involved, and are all at stake, in our collective efforts to get the case of Iraq right. The sponsors draw encouragement from the Council's unity in backing the Secretary-General. Iraq must draw the lesson.

The President: I thank the representative of the United Kingdom for the kind words he addressed to me.

Mr. Berrocal Soto (Costa Rica) (*interpretation from Spanish*): First of all, Sir, let me say how pleased my delegation is to see you presiding over the work of the Council today.

It has not been easy to arrive at a consensus text. My country welcomes the fact that, after reviewing several versions, the Security Council is now in a position to vote on a draft resolution that, in essence, accents three basic ideas. First, it recognizes the success of the diplomatic initiative undertaken by the Secretary-General, Mr. Kofi Annan, and unreservedly endorses the Memorandum of Understanding signed by the Secretary-General and by the Government of Iraq on 23 February 1998.

Secondly, it reflects the vital need to send a clear and unequivocal message to the Baghdad regime concerning the very severe consequences that the Security Council is determined to consider and adopt under Chapter VII of the Charter in the event that Iraq fails to comply with the terms of the Memorandum of Understanding and the relevant Security Council resolutions, especially resolution 687 (1991) of 3 April 1991.

Finally, it sets out the key concept of international legality and the primacy of the provisions of the Charter over any political considerations.

With respect to the first point, as early as 6 February my country urged the Secretary-General in writing to use his good offices and travel to Baghdad and negotiate with the Iraqi authorities to reach a diplomatic solution to this crisis. We unreservedly supported Mr. Annan's mission and were against laying down parameters or terms of reference. We said that the Secretary-General should simply travel to Iraq and take action without any parameters or terms of reference other than those set out in the Charter of the United Nations. That was what the Security Council decided; it was proper both legally and politically.

After listening to the views of all members of the Security Council, the Secretary-General travelled to Iraq and secured the signing of a Memorandum of Understanding that fully and without cause for objection conforms to the position of Costa Rica. The same reaction has been expressed by all the other members of the Security Council.

Nonetheless, we stated that in our view — and while we acknowledged the position of the Legal Counsel on the binding nature of the document under international law — the Memorandum of Understanding ought to be formally endorsed by the Security Council in order to make all its terms consistent with previous relevant resolutions and with that which is established by Chapter VII of the Charter, with regard to actions "with respect to threats to the peace, breaches of the peace, and acts of aggression", as the sole and inalienable prerogative of the Security Council. Thus, my country considers that this endorsement of the Memorandum of Understanding is not only an appropriate political decision that we endorse, but is also a required under international law.

Given this essential element, Costa Rica subscribes with no reservations of any kind to the Security Council's clear and unequivocal message to Iraq on the grave and severe consequences that would ensue in the event of failure to abide by the agreed terms. Endorsing the Memorandum of Understanding and bringing it into the legal framework authorized by Chapter VII of the Charter leaves no political or legal doubt whatsoever about the seriousness and gravity of this warning by the Security Council.

The draft resolution does not prejudge the actions of the Security Council. It simply describes the scope of its competence under the Charter and warns of the consequences of a failure by the Government of Iraq to comply — and does so in the precise terms of the prerogatives and competences set out in Chapter VII of the Charter.

In my country's view, these prerogatives and legal competences are, in accordance with the Charter, exclusively of the Security Council and cannot be delegated by it. This is what the United Nations Charter States. This is what all of us as States Members have signed and ratified. These are the terms that bind Costa Rica and the other 184 Members of the United Nations, without exception, be it in the case of Iraq or in any other case in which the Security Council is called upon to decide between peace and war.

For this reason my country is extremely gratified that we finally have before us a text in which this legality and these essential principles of international law are safeguarded and preserved. Thus, we should all sincerely congratulate ourselves.

With all these key aspects resolved — and convinced that the depth and vigour of the discussions in informal consultations during these last few days has strengthened the institution of the United Nations and the international legality represented by the Charter — my delegation will vote in favour of this draft resolution.

The President: I thank the representative of Costa Rica for his kind words addressed to me.

Mr. Amorim (Brazil): Sir, let me first congratulate your country, Gambia, on its assumption of the presidency of the Security Council. Your presence — the presence of a Minister — illustrates the importance your Government attributes to the United Nations. I also want to second your words about the excellent presidency of Ambassador Dangue Réwaka of Gabon during the past month.

Less than a fortnight ago, as the crisis over Iraq's non-compliance with its obligations developed at full speed, the Middle East and the Gulf stood on the brink of a conflict that, as Secretary-General Kofi Annan correctly stated, could have had unpredictable consequences.

Around the world there was a mood of sombre apprehension as we contemplated the multiple scenarios that could have developed and the effects that some of the options could have entailed: the further deterioration of the critical humanitarian situation in Iraq itself; a wave of political and social unrest in the region; and, as the direct result of a conflict, the withdrawal of United Nations Special Commission (UNSCOM) and of United Nations humanitarian personnel from that country.

These developments, depending on the circumstances, might have placed a multilateral system that is still learning to cope with the challenges of the post-cold-war era under a heavy strain.

In view of such dire prospects, the Security Council, once again faced with the challenge of enforcing its own resolutions, wisely encouraged the Secretary-General to undertake a personal mission of good offices to Baghdad.

Brazil had already sent such encouragement in the form of a letter addressed by Foreign Minister Luiz Felipe Lampreia to the Secretary-General. At the informal consultations of the members of the Security Council, we advised the Secretary-General — and in his mind he had already decided to act in this way — to be firm in substance and flexible in form. We quoted in that connection the Latin adage, "*Suaviter in modum, fortiter in re*".

The Brazilian authorities also signalled directly to the Government of Iraq, in clear terms, that it should do whatever was required to provide guarantees of compliance with Security Council resolutions and thus ensure the success of the Secretary-General's mission.

Thanks to the admirable mix of firmness, patience and courage that is characteristic of his personality, Mr. Kofi Annan succeeded in a mission that sceptics had considered doomed from the start.

The Memorandum of Understanding of 23 February was negotiated with the Government of Iraq, including, at the most critical moment of the talks, its Head of State. It is a legally binding agreement that, among other elements that were essential to the diplomatic solution of the crisis, formally reconfirms the acceptance by Iraq of all pertinent resolutions of the Security Council; reiterates Iraq's undertaking to fully cooperate with UNSCOM and the International Atomic Energy Agency (IAEA) and grants to UNSCOM, its new special group and the IAEA, immediate, unconditional and unrestricted access to all sites in Iraq, including, in accordance with specific procedures now being developed, the eight presidential sites.

Upon receiving notice of the Memorandum, the Government of Brazil expressed the hope that a peaceful and lasting solution for the crisis between Iraq and the Security Council would now be feasible. On their part, the States members of the Southern Cone Common Market (MERCOSUR) — Argentina, Brazil, Paraguay and Uruguay — along with Bolivia and Chile announced in a joint statement their expectation that the solution to the crisis will ensure a durable and stable peace in the region. The President of Brazil had the opportunity to express personally to the Secretary-General our recognition of what was achieved in Baghdad.

Of course, the hard task of implementing the Memorandum and verifying the elimination of Iraq's programmes for weapons of mass destruction still lies ahead. But it is our conviction that the mission of the Secretary-General, together with his determination — today reaffirmed — to keep this matter under his close personal supervision from now on, provides the Security Council with a fair chance to put the problem of the relations between Iraq and the United Nations on a more stable foundation.

We believe that, on the basis of future Iraqi compliance with the Memorandum, the conditions will established so that the cyclic pattern of crisis in relation to Iraq can be left behind. The Government of Brazil considers that the Memorandum provides the basis for a decision by the Security Council to ensure that Iraq strictly complies with its resolutions, in accordance with international law and the purposes and principles of the United Nations Charter. The draft resolution that the Council will be adopting today does just that.

Let us be clear here: since 1990-91, faced with the situation that originated from the invasion of Kuwait by Iraq, the United Nations, and the Security Council on its behalf, have taken the responsibility to determine the measures necessary to maintain and restore international peace and security, under Chapter VII of the Charter. Accordingly, at the end of the Gulf War, in which an enforcement action took place under the authority of resolution 678 (1990), the Security Council did not limit itself to taking note of a ceasefire. Rather, in paragraph 33 of resolution 687 (1991), the Security Council declared that

> "upon official notification by Iraq ... of its acceptance of the [relevant] provisions, a formal ceasefire is effective".

Not only a cessation of hostilities, but — the difference is crucial — a formal ceasefire.

Furthermore, in paragraph 34 — the very last one — of resolution 687 (1991), the Security Council did not limit itself to the ritual formula, "decides to remain seized of the matter". It went beyond that and stated its decision

> "to take such further steps as may be required for the implementation of the present resolution".

The conclusion we draw is that the question of the implementation of the conditions for the ceasefire with Iraq remains firmly under the wing, so to speak, of the United Nations and the Security Council. Only the Security Council has the authority to determine if, when and under what conditions the formal ceasefire it declared on 3 April 1991 holds or not.

Since the beginning of the informal consultations on this draft resolution, we were assured by its sponsors that it was not their intention to imply any automaticity in the authorization of the use of force in case of a possible violation by Iraq. After the changes made to the text of the draft resolution — in particular the simplification of the second preambular paragraph and the new formulation for operative paragraph 5, which are in line with resolution 687 (1991) — we are satisfied that nothing in its provisions delegates away the authority that belongs to the Security Council under the Charter and in accordance with its own resolutions. During the discussions on the draft resolution, the Brazilian delegation was also guided by the need to ensure the unity of the Security Council and sought to make its contribution to this end.

For these reasons, we will cast our vote in favour of this draft.

The President: I thank the representative of Brazil for his kind words addressed to me.

Mr. Buallay (Bahrain) *(interpretation for Arabic)*: My delegation would like to express its delight, Sir, at seeing you presiding at this important meeting of the Security Council. My delegation would also like to express its deep appreciation to the Secretary-General for his efforts to contain the crisis and to achieve positive results for all the parties concerned. We have followed his efforts all along, from his mission to Baghdad to the debate on the current Security Council draft resolution.

Today we stand at a historic juncture in terms of the relationship between Iraq and the Security Council, specifically, between Iraq, on the one hand, and the United Nations Special Commission established under Security Council resolution 687 (1991) and the International Atomic Energy Agency (IAEA) on the other. Until the day prior to 23 February 1998, the date of the signing of the Memorandum of Understanding between Iraq and the United Nations in Baghdad, the relationship between the two parties oscillated between continuity and breakdown. This had an adverse impact on UNSCOM's mission, by which it is entrusted with the elimination of weapons of mass destruction.

In point of fact, that oscillation in the relationship resulted in mistrust, and it brought work to a standstill. In turn, the situation has delayed the closing of files relating to those weapons. The original time-table for the elimination of weapons of mass destruction was less than six months; yet here we are, well into the seventh year, and the mandate has not been completed.

Under the circumstances, the Secretary-General undertook a visit to Baghdad and a Memorandum of Understanding was signed in order to allow UNSCOM to inspect all sites, at all times, with special consideration being given to eight presidential sites, while maintaining the dignity and sovereignty of Iraq. On the other hand, the Security Council adopted its resolution 1153 (1998) to increase oil exports under the oil-for-food programme, and humanitarian supplies would increase three-fold in order to alleviate the suffering of the Iraqi people resulting from the sanctions regime. This increase, which coincided with the Secretary-General's visit to Baghdad, not only gave impetus to his mission but also sent a signal that the Council is keen on improving the living

conditions of the people of Iraq. My delegation hopes that Iraq will respond to the resolution to increase oil for food in a positive and expeditious manner. We look forward to the report of the technical group of experts as set out in paragraph 12 of of that resolution relating to determining the capacity of Iraq to pump oil worth $5 billion dollars every six months.

The litmus test now is to implement the provisions of the Memorandum of Understanding on the ground, and to create the appropriate conditions for its successful implementation. Therefore, the Council should help the Secretary-General, and we appreciate his efforts to speed up the implementation process.

Against this backdrop is the draft resolution to be adopted today. The Council members made an immense effort by way of preparation and support for the Secretary-General's visit to Baghdad. The Council also made an intensive effort to achieve consensus, as reflected in the text of this draft resolution. This represents a logical step emanating from the Memorandum of Understanding signed by the Secretary-General and the Deputy Prime Minister of Iraq on 23 February 1998.

The elements of this draft resolution are coherent and balanced in terms of order and phases of implementation. First, as regards the reference to preserving the sovereignty, independence and territorial integrity of Iraq, Kuwait and the neighbouring States, we particularly appreciate the Council's incorporation, as set forth in operative paragraph 5, of the Council's responsibility for securing peace and security in the area.

Secondly, the Council endorses the Memorandum of Understanding and looks forward to its early and full implementation.

Thirdly, the Secretary-General is requested to finalize the necessary procedures so that UNSCOM and the IAEA can carry out the mandate fully, within the presidential sites or other sites, as indicated in the Memorandum of Understanding. In this context, it is to be noted that the State of Bahrain contributes to the smooth implementation of these procedures by providing the operational headquarters for UNSCOM.

Fourthly, Iraq is requested to provide to UNSCOM and the IAEA full freedom of access to all sites without any conditions or restrictions, in order to ensure the full implementation of resolution 687 (1991).

Fifthly, the Council undertakes to consider the duration of the prohibitions under resolution 687 (1991). This is no less important than the other issues, such as the issue of Kuwaiti prisoners of war and prisoners of other nationalities and the question of property owned by the State of Kuwait.

The Council has made enormous efforts in order to maintain its unity, stature and authority during the crisis with Iraq. Also, the Council has made a conscious effort to steer away from military options that would have brought devastating effects on Iraq and the entire region. Therefore, a peaceful defusing of the crisis was not easy at all. Indeed, we would like to convince ourselves that a new page in dealing with Iraq has now been turned, thanks to this Council. On the other hand, Iraq, for its part, has to demonstrate good faith and cooperate with UNSCOM and the IAEA in both a serious and speedy manner, with a view to eliminating its weapons of mass destruction as a prelude to the lifting of sanctions and moving towards its own development and reconstruction, thus ensuring the well-being of the Iraqi people.

This moment is indeed a unique and historic one, as the Council sought and succeeded in securing a peaceful resolution of the current crisis. However, Iraq's behaviour from now on will define the future course of action. Hence, as the Council has endorsed the peaceful solution, we call upon Iraq to respond favourably to United Nations efforts, and we call upon the United Nations to encourage Iraq to pursue that course so that peace will prevail throughout the region and to stay away from the options that would pose danger to the entire region.

The State of Bahrain agrees to the draft resolution put to the Council, and we will vote in favour of it.

The President: I thank the representative of Bahrain for his kind words addressed to me.

Mr. Dahlgren (Sweden): Let me start by expressing our pleasure in seeing you preside over this important meeting of the Council.

In our view, the draft resolution on which we are about to vote contains four very important messages, each addressed in a separate paragraph.

First, the draft resolution endorses the Memorandum of Understanding signed by the Secretary-General and by the Deputy Prime Minister of Iraq. We all recall that the

Secretary-General undertook his important mission to Baghdad with the full support of the Security Council. In this draft resolution, it is made clear that the Council is also backing the outcome of his mission.

Secondly, the Security Council is determined to see the resolution implemented and will not tolerate a violation. The Council's message is firm and clear: a violation would have severest consequences for Iraq.

Thirdly, this draft resolution means that if Iraq complies with all its obligations under relevant resolutions, it will be possible for the Security Council to lift the sanctions, as stipulated in its resolution 687 (1991).

Fourthly — and very important for us — the Security Council's responsibility for international peace and security, as laid down in the Charter of the United Nations, must not be circumvented. The last paragraph of the draft resolution is an expression of the need to safeguard this responsibility. The Council will remain actively seized of the matter, and the Council will ensure implementation of this resolution.

In conclusion, in our view the United Nations means working together. And working together will lead to results.

Sweden will vote in favour of the draft resolution before us.

The President: I thank the representative of Sweden for his kind words addressed to me.

Mr. Dangue Réwaka (Gabon) (*interpretation from French*): First of all, I would like to thank you for the very kind words you addressed to me and to express the great pleasure I take in seeing you preside over our meeting. In addition, I would like to express our best wishes for success under your presidency.

I should like to reiterate our congratulations and appreciation to the Secretary-General, which the Gabonese authorities expressed to him upon his conclusion of the Memorandum of Understanding with the Government of Iraq on 23 February 1998. Indeed, this agreement has helped defuse a critical situation that threatened to darken the horizon of international relations.

Now, when the Security Council is about to adopt the draft resolution before it, I think it is useful to recall the importance of this meeting. For us this meeting is an opportunity to solemnly reaffirm the confidence the Security Council continues to have in the Secretary-General for the full implementation of the Memorandum of Understanding he signed with the Iraqi authorities.

My delegation strongly hopes that the Iraqi authorities will take advantage of the favourable climate thus created to translate the commitments undertake into deeds. We are convinced that Iraq's strict compliance with these commitments will enable the Security Council to consider in due course the possibility of lifting the sanctions that have so harshly stricken and punished the Iraqi people.

There is no reason to believe that the Iraqi Government, which has made a solemn commitment before the international community, will not keep its promises. We believe that if the Iraqi authorities failed to meet their obligations, the Security Council would draw its conclusions and would not hesitate to give an immediate and appropriate response.

In view of all these considerations, my delegation will vote in favour of the draft resolution.

The President: I thank the representative of Gabon for his kind words addressed to me.

Mr. Mahugu (Kenya): May I begin by saying how honoured we feel to have Mr. Momodou Lamin Sedat Jobe, Secretary of State for Foreign Affairs of the Gambia, presiding over this important meeting. We also recognize the presence of the Secretary-General among us this afternoon.

Today's meeting is for us a recognition by the Security Council of the tireless efforts of the Secretary-General, whose excellent diplomatic skills culminated in the Memorandum of Understanding we are formally endorsing today. My delegation was acutely aware of the difficult circumstances and extremely challenging international atmosphere in which the Secretary-General operated, and that is why his achievements are so profound. My Government issued a statement supporting the mission of the Secretary-General on the eve of his departure and another one upon his return endorsing the outcome of his mission. Indeed, the Chairman of the Organization of African Unity, President Robert Gabriel Mugabe, in a message to the Secretary-General stated,

"The agreement you reached with President Saddam Hussein, we all hope, will contribute significantly to the peaceful conclusion of the implementation of United Nations Security Council decisions on the issue. The success of your mission has brought relief and joy to all those who wish to ensure completion of the United Nations Special Commission's mandates and avoid further military confrontation in the Middle East region."

The text we are about to adopt reflects a joint effort to address the situation we are faced with. In that regard, we are appreciative of the work done, and the flexibility shown, by the delegations of the United Kingdom and Japan, the sponsors of the draft resolution, in accommodating the various views and positions.

The concerns of my delegation, which included in the first instance the firmest possible endorsement of the achievement of the Secretary-General, have been reflected in operative paragraph 1 of the current draft. To us, this is a sign of our full support and total confidence in his ability to implement the Memorandum of Understanding in the shortest possible time, and we are glad to note that the Secretary-General has already embarked on this exercise.

It is also our understanding that paragraph 3 recalls the commitment given by the Government of Iraq in the Memorandum of Understanding with respect to according immediate, unconditional and unrestricted access to the United Nations Special Commission (UNSCOM) and the International Atomic Energy Agency (IAEA) and strongly warns against any reneging on that undertaking, which would lead the Security Council to take further action in line with paragraph 5.

Our concern regarding paragraph 4, on the lifting of sanctions in accordance with paragraph 22 of Security Council resolution 687 (1991), has also been addressed by casting the paragraph in a more positive light, thus bringing it more into conformity with paragraphs 6 and 7 of the Memorandum of Understanding. Indeed, we are sensitive to the importance of this issue to the people of Iraq, and we believe it should be measured against the level of compliance by the Government of Iraq. In that connection, we hope that UNSCOM will expedite and complete the final phase of its work to enable the Council to reach an early agreement on the lifting of sanctions.

As we have continually stated, we expect the Government of Iraq to fulfil all its obligations under relevant resolutions and to cooperate fully with UNSCOM and IAEA. It is our fervent hope that following the signing of the Memorandum of Understanding there will be a new spirit of understanding that will facilitate the smooth conclusion of all outstanding issues fully, fairly and without delay, as the Secretary-General said.

Finally, we should like to place on record our conviction, based on assurances we have been given by the sponsors, that the draft resolution contains nothing that could open the door, in any eventuality, for any kind of action without the clear authority of the Security Council. When all is said and done, the primary responsibility for the maintenance of international peace and security remains with the Security Council.

We hope that dialogue and the use of diplomatic means will lead to constructive cooperation between the United Nations and Iraq. It is on the basis of the above understanding that my delegation will vote in favour of the draft resolution before us.

The President: I thank the representative of Kenya for his kind words addressed to me.

Mr. Owada (Japan): At the outset, Sir, I wish to offer the sincere congratulations of my delegation on the assumption by Gambia of the presidency for the month of March, as well as my hearty welcome to you, Mr. Foreign Minister, to this Council.

I wish also to offer the gratitude of my delegation to Ambassador Dangue Réwaka of Gabon for the exemplary manner in which he conducted the business of the Security Council for the month of February.

During recent weeks the Security Council and the international community have been engaged in intensive efforts to cope with the grave situation created as a result of Iraq's non-compliance with its obligations under relevant Security Council resolutions. In this regard, Japan wishes wholeheartedly to welcome the breakthrough brought about by the recent visit of the Secretary-General. Japan believes that the agreement the Secretary-General secured in Baghdad constitutes a determining step on the way to the solution of the crisis.

In the Memorandum of Understanding signed by the Secretary-General and the Deputy Prime Minister of Iraq on 23 February 1998, Iraq has reconfirmed its acceptance of all relevant Security Council resolutions and has undertaken to accord to the United Nations Special Commission (UNSCOM) and the International Atomic

Energy Agency (IAEA) immediate, unconditional and unrestricted access, in conformity with relevant Security Council resolutions.

This Memorandum of Understanding provides a framework for the full and unconditional inspection of all sites by UNSCOM, in conformity with all the relevant resolutions. May I express the sincere hope that the finalization of the procedures for presidential sites will be worked out and reported to the Council as soon as possible, and that UNSCOM inspections, with immediate, unconditional and unrestricted access, will be carried out in practice.

What is most essential with regard to this whole achievement secured by the Secretary-General is that all the obligations contained in this Memorandum of Understanding be implemented fully. In this context, the Security Council has an extremely important role to play — to declare its own position, in the light of its primary responsibility for the maintenance of peace and security, on the basis of the Memorandum of Understanding which has been worked out by the Secretary-General in the exercise of his own competence under the Charter of the United Nations.

It is for this reason that today the Council, for its part, is taking action on this draft resolution. We the members of the Security Council are happy to make the position of the Council clear in this draft resolution by commending the initiative of the Secretary-General, by endorsing the Memorandum of Understanding and by looking forward to its early and full implementation.

As one of the sponsors of this draft resolution, Japan wishes to register its position that the purport of the draft is threefold. First, in endorsing the effort made by the Secretary-General with the Iraqi authorities, it is the intention of the Security Council to declare its united position: that it is giving its full support to the achievement of the Secretary-General. What is truly important now is to see the obligations assumed on paper in the Memorandum of Understanding implemented fully in practice.

Secondly, the purport of this draft resolution, and in particular its paragraph 3, is to stress that compliance by the Government of Iraq with its obligations, repeated again in the Memorandum of Understanding, to accord immediate, unconditional and unrestricted access to the Special Commission and the IAEA is essential for the implementation of resolution 687 (1991). Together with it, the Council wishes to register its firm resolve that violation in this regard would have severest consequences for Iraq.

In this context, I wish to confirm what I have been making clear through the consultations: that it is the understanding of the sponsors that this paragraph is not meant to address the issue of so-called automaticity. This point should be clear from the purport of paragraph 3, as I have explained, as well as from what this paragraph so clearly states.

I wish also to draw the attention of the Council to paragraph 5 of the draft resolution, which states that the Council remains actively seized of the matter, in order to ensure implementation of this resolution, and to secure peace and security in the area. The draft resolution simply is not designed to prejudge the issues of the future.

Thirdly, on the question of the prohibitions referred to in resolution 687 (1991), the resolution makes abundantly clear the intention of the Council to act in accordance with what is prescribed in that resolution. In this regard, it is the sincere desire of Japan that the day will come as soon as possible when the sanctions currently applied to Iraq will be lifted through Iraq's full compliance with its obligations and other relevant resolutions, so that Iraq can come back to claim its worthy place within the international community.

As one of the sponsors of this draft resolution, working in cooperation with its most competent partner, the United Kingdom, Japan has spared no effort in trying to work out a fair and dignified draft resolution that can demonstrate the unified will of all the members of the Security Council, in full consciousness of the heavy responsibility incumbent upon it at this time of crisis. Japan believes that we in the Security Council have succeeded in achieving a united voice to seek the full and unconditional cooperation of Iraq with UNSCOM thanks to the very positive and constructive cooperation of all of its members.

Japan wishes to place on record its deep gratitude to all its fellow Council members for their cooperation in making this possible. We have succeeded in demonstrating the unity of the Council on this most important question relating to weapons of mass destruction, which affect peace and stability in the region.

In the light of all these factors, Japan will vote in favour of this draft resolution.

The President: I thank the representative of Japan for the kind words he addressed to me.

Mr. Türk (Slovenia): Sir, let me congratulate your country, Gambia, on its assumption of the presidency of the Security Council for the month of March. We are particularly honoured, Mr. Minister, by your presence today. We wish the Permanent Representative of Gambia, Ambassador Sallah, success in his work as President, as we are grateful to the President for the preceding month, Ambassador Dangue Réwaka of Gabon, for the excellent work done.

Today, the Security Council is about to take action which has been awaited since the Secretary-General returned from Baghdad last week. By the draft resolution submitted for action, the Council endorses the Memorandum of Understanding signed by the Secretary-General and the Deputy Prime Minister of Iraq on 23 February 1998.

We believe that this endorsement is appropriate and helpful. It reinforces the agreement reached in Baghdad, an agreement which in our view is fair, balanced and in conformity with resolution 687 (1991) and other Security Council resolutions.

By commending the initiative by the Secretary-General and by endorsing the Memorandum, the Security Council is doing its part in the efforts to secure compliance by the Government of Iraq with its obligations.

The implementation of the Memorandum of Understanding should begin without delay. We are heartened to learn that progress is being made in the preparations for the additional procedures for the inspection of presidential sites. The implementation process will be closely monitored by the Council. The message of today's draft resolution is clear: full compliance by the Government of Iraq with its obligations, reaffirmed in the Memorandum of Understanding, is the way to implement Security Council resolution 687 (1991). On the other hand, any violation of these obligations would have extremely negative consequences. It would destroy everything that has been achieved through the difficult mission of the Secretary-General. It would certainly prompt the Council to consider other measures to ensure compliance.

In this context, we wish to emphasize that firmness and resolve to use means other than diplomacy were of critical importance for the mission of the Secretary-General. Furthermore, the unity of the Security Council was, and continues to be, of paramount importance.

It is our hope that the Government of Iraq will not forfeit the unique opportunity that was provided by the conclusion of the Memorandum of Understanding. Efforts by Iraq to fully implement that Memorandum are essential for the United Nations Special Commission (UNSCOM) and International Atomic Energy Agency (IAEA) inspectors to continue and finish their work. That would eventually enable the Security Council to consider the lifting of the prohibitions referred to in resolution 687 (1991).

The draft before us reaffirms the commitment of all United Nations Member States to the sovereignty, territorial integrity and political independence of Iraq, Kuwait and the neighbouring States. It is important that we keep in mind the needs and the legitimate expectations of these States, in particular those of Kuwait, which has suffered the most seriously. It is appropriate to recall today that some issues concerning Kuwait, have not yet been resolved, including the issue of missing persons and prisoners. The Security Council remains aware of these issues and will have to address them on another occasion.

Today the Security Council is taking decisions at a time which, in many ways, is a defining moment for the United Nations. This is the time when the potential of diplomacy is being reaffirmed. The role of the Secretary-General has been again reconfirmed as an invaluable asset of the Organization and of the international community in general. This is also a moment when the Security Council has to demonstrate its ability to act with unity, swiftness and determination. The adoption of this draft resolution today will be a positive sign in this regard. We wish especially to commend the delegations of Japan and the United Kingdom for their efforts in preparing this draft resolution before us.

It is important that in the process of implementation of this draft resolution the Security Council should show the same resolve and ability to act as the situation may require. The responsibilities of the Security Council under the Charter, and corresponding obligations, ought to be clearly borne in mind. In operative paragraph 5 of the draft resolution before us, the Security Council will decide, in accordance with its responsibility under the

Charter, to remain actively seized of the matter in order to ensure implementation of this resolution, and to secure peace and security in the area. We expect the Council to continuously receive information on the situation and to act as necessary in accordance with its powers.

Slovenia will vote in favour of this draft resolution.

The President: I thank the representative of Slovenia for his kind words addressed to me.

Mr. Monteiro (Portugal): My delegation is pleased to see you, Sir, such a distinguished representative of your country, presiding over this meeting. We could not have a better start for our work this month under Gambian leadership.

One week ago in Baghdad, the Secretary-General and the Deputy Prime Minister of Iraq signed a Memorandum of Understanding which offered new perspectives for ending the crisis between Iraq and the United Nations. As the Secretary-General underlined, this is not just any type of agreement: the Iraqi leadership is committed to this agreement at its highest level, since it was negotiated by Mr. Kofi Annan directly with President Saddam Hussein.

This remarkable diplomatic achievement averted war and immediately garnered the unanimous support of the members of the Council. The Council had encouraged the Secretary-General to go to Baghdad and try to achieve a diplomatic solution to the crisis in accordance with all relevant resolutions.

It is now incumbent upon the Council to do its part, by endorsing the agreement reached by the Secretary-General in Baghdad. The expression of the Council's unanimous support for the Secretary-General's démarche is clearly reflected in the draft resolution that we have before us, which my delegation supports. In this draft resolution, the Council commends the initiative of the Secretary-General and endorses the Memorandum of Understanding.

In welcoming this outcome, my delegation naturally expects that this Memorandum will be implemented as soon as possible. All sites in Iraq are now accessible to United Nations inspection. We now have a new opportunity to see that all relevant resolutions of the Security Council are finally fulfilled. We look forward to the rapid completion of the necessary procedures in order to allow United Nations Special Commission (UNSCOM) and the International Atomic Energy Agency (IAEA) to discharge their mandate.

The unity of the Council in adopting this draft resolution will send a strong and unambiguous signal to Baghdad. The implementation of the Memorandum of Understanding obviously requires Iraq's full cooperation. We trust that Iraq will not fail to live up to its commitments.

UNSCOM and IAEA have a task to complete on behalf of the Council, and we want them to be able to do it rapidly and efficiently. The objectives of this task — ensuring the inability of Iraq to use prohibited weapons of mass destruction — are clearly outlined in resolution 687 (1991). We should not forget that to achieve those objectives is to open the way to the lifting of the sanctions, which so dramatically affect the Iraqi people. Both these aspects are reaffirmed in the present draft resolution. In this context, the importance of the action taken by the Council the week before last in adopting resolution 1153 (1998), on the reinforcement of the humanitarian programme in Iraq, as recommended by the Secretary-General, should not be ignored.

We hope this message of unity from the Council will open a new era of cooperation between the Iraqi Government and the United Nations, since we genuinely want the Iraqi nation to regain as soon as possible its full stature within the international community and the Iraqi people to see an end to their suffering.

The President: I thank the representative of Portugal for his kind words addressed to me.

Mr. Qin Huasun (China) (*interpretation from Chinese*): The Chinese delegation wishes to join other delegations in welcoming you, Sir, to the presidency of the Security Council at this first meeting of the month.

Not long ago Secretary-General Kofi Annan, with the broad support of the international community, made a successful visit to Iraq and signed a Memorandum of Understanding with the Government of Iraq, thus defusing the weapons-inspection crisis. Peace-loving people all over the world were overjoyed and encouraged by this event. China greatly appreciates the wise decision made by the Secretary-General at the critical juncture between war and peace and supports his diplomatic efforts. We also view positively the flexibility and

wisdom demonstrated by the various parties in bringing about this successful result.

We believe that the Memorandum of Understanding has resolved the question of access for the United Nations Special Commission (UNSCOM) and at the same time responded to Iraq's legitimate concerns over sovereignty, dignity and security, in full accordance with the relevant Security Council resolutions. This is a major breakthrough for the inspection work of UNSCOM and will definitely help UNSCOM complete the task entrusted to it by the Security Council at an early date.

The situation in the Gulf region is complex and sensitive. If it is dealt with appropriately there will be peace. Any imprudence, however, may trigger a war, which is in no one's interest. Resolving peacefully the problems that have arisen during the inspection process is the general demand of the majority of the United Nations Member States and is in the fundamental interest of the people of the various countries in the Gulf region. The Security Council must bear this in mind while dealing with this major issue. China has always maintained that international disputes should be resolved through peaceful means in accordance with the United Nations Charter and the basic norms of international relations. We are not in favour of resorting to or threatening to use force, because this would not favour an appropriate solution to these problems. It would only cause heavy civilian casualties and possibly even more severe consequences.

The successful visit by the Secretary-General has once again proved that political and diplomatic efforts and patient dialogue are the only way to dispel mistrust and find an appropriate solution. We sincerely hope that under the present circumstances the parties concerned will create a favourable atmosphere for an early and comprehensive implementation of the Memorandum of Understanding and refrain from any action that might worsen the situation.

The draft resolution before us is intended to support the good offices of the Secretary-General and to endorse the Memorandum of Understanding. It also makes it clear that the Security Council will act to lift the sanctions as Iraq implements the resolution. That reflects our views, and the Chinese delegation will therefore join the consensus on the draft resolution before the Council.

I wish also to note that during the Council's many consultations the Chinese delegation repeatedly and unambiguously demanded that the draft resolution should contain no automatic authorization of the use of force against Iraq. This evening we listened very carefully to the explanations offered by the sponsors of the draft resolution, but these did not eliminate our misgivings about possible abuse of the draft resolution. I wish therefore to stress that the adoption of this draft resolution will in no way mean that the Security Council is automatically authorizing any State to use force against Iraq. The Council cannot and should not prejudge whether Iraq will violate its resolutions; even less should the Council predetermine the course of future action. The Security Council can make judgements and decisions only on the basis of prevailing circumstances.

It has been China's consistent position that Iraq must implement in full the relevant resolutions of the Security Council and must cooperate fully with the United Nations Special Commission (UNSCOM). At the same time, Iraq is a sovereign State, and its sovereignty, dignity and legitimate security concerns should also be respected.

The Security Council should make a timely and objective assessment of Iraq's implementation of its resolutions. UNSCOM has made considerable headway in its inspections and in the destruction of Iraq's weapons. We hope that, in accordance with the relevant Security Council resolutions and with the understanding reached with Iraq, UNSCOM will implement the proposals put forward at its emergency session and will complete its task of verification and the destruction of Iraq's weapons of mass destruction at an early date, so that steps can be taken to lift the sanctions against Iraq at the earliest possible date.

The President: I thank the representative of China for the kind words he addressed to me.

Mr. Dejammet (France) (*interpretation from French*): I wish first of all, Sir, to say how pleased and honoured we are to begin our deliberations this month under the guidance of the Minister for Foreign Affairs of the Gambia. I also wish to convey sincere congratulations to your predecessor, our friend the Permanent Representative of Gabon, and to his entire delegation.

France will vote in favour of the draft resolution before the Security Council, whose central purpose is to endorse the Memorandum of Understanding signed on 23 February by the Secretary-General, for the United Nations, and by the Deputy Prime Minister of Iraq, for Iraq. This draft resolution is not necessary either legally or politically to give effect to the Memorandum of

Understanding, which gained the assent of the Council on 24 February.

Nevertheless, in order to dispel any hint of interpretations of or reservations about the content of the 23 February Memorandum of Understanding, it was a good idea for the Council — on the initiative of the United Kingdom and Japan — to seek to confirm the authority of the Memorandum through a particularly forceful decision taken under Chapter VII of the Charter. The draft resolution upon which we shall be taking action is thus welcome and worthwhile.

The draft resolution before us meets what we view as the indispensable criteria: it is brief and it cleaves to the text of the Memorandum of Understanding, which it ratifies. It does not seek to rewrite it or to modify its scope.

While affirming its determination to ensure immediate and comprehensive respect for obligations under resolution 687 (1991), the Council reaffirms in the preambular part the commitment of all Member States to the sovereignty, territorial integrity and political independence of Iraq, Kuwait and the neighbouring States. There is a point to reaffirming that commitment at this time.

In the operative part, the Security Council quite rightly commends the initiative by the Secretary-General and endorses the Memorandum of Understanding. The Council places on record Iraq's commitment to accord immediate, unconditional and unrestricted access to the Special Commission and the International Atomic Energy Agency. But the Council also backs UNSCOM's commitment to respect the legitimate concerns of Iraq regarding national security, sovereignty and dignity.

The draft resolution requests the Secretary-General to report to the Security Council as soon as possible with regard to the procedures for presidential sites. This too is important, because the recent crisis concerned access to the presidential sites. Here the Council acknowledges the overriding competence of the Secretary-General.

One reason for this draft resolution — apart from its indispensable tribute to the Secretary-General — is to address a serious warning to Iraq about complying with its obligations, as well as to dispel any ambiguity about the duration of the sanctions. This dual objective is achieved in paragraphs 3, 4 and 5. I shall not dwell on those paragraphs; their meaning is clear to the reader. Our objective is, of course, to ensure respect for Council resolutions, including those relating to sanctions against Iraq. But it is also to underscore the prerogatives of the Security Council in a way that excludes any question of automaticity. Most of the preceding speakers made reference to this, and it was stressed quite firmly by the representative of Japan on behalf of the sponsors of the draft resolution; I thank him for that.

The Council is justified in debating certain measures because of their gravity. It is the Security Council that must evaluate the behaviour of a country, if necessary to determine any possible violations, and to take the appropriate decisions.

It is important that the Council should have met today to decide, unanimously and solemnly, that it will remain actively seized of the matter in conformity with its responsibilities under the Charter.

Today's meeting is taking place in the presence of the Secretary-General. We have passed through a time of serious crisis which it has been possible to settle peacefully. That peaceful outcome would have been impossible without the courageous action of the Secretary-General, without his determination, without his negotiating talents, without his firmness. France was happy to support him. But the best tribute we can pay him is to see to it that his work endures.

Nothing will be possible without constant vigilance, without strict respect by each and everyone for the Memorandum of Understanding and without also giving extensive and dispassionate thought to the lasting means to bring back peace and stability to the Gulf region and to the Middle East as a whole. For the neighbours of Iraq must not live in insecurity. Kuwait must regain confidence. The Middle East must regain peace with justice.

Nothing will be possible without the constant involvement of the Secretary-General in our work and in our deliberations.

The President: I thank the representative of France for his kind words addressed to me.

I shall now put to the vote the draft resolution contained in S/1998/175.

A vote was taken by show of hands.

In favour:

Bahrain, Brazil, China, Costa Rica, France, Gabon, Gambia, Japan, Kenya, Portugal, Russian Federation, Slovenia, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America

The President: There were 15 votes in favour. The draft resolution has been adopted unanimously as resolution 1154 (1998).

I shall now call on those members of the Council who wish to make statements following the voting.

Mr. Richardson (United States of America): Allow me to begin by welcoming you, Sir, to the presidency of the Security Council and to thank your predecessor, Ambassador Dangue Réwaka of Gabon, for his skillful guidance of the Council in February. The United States thanks the Secretary-General for his strong, clear speech.

The United States welcomes the Secretary-General's efforts to obtain Iraqi agreement to comply with its obligations. We are impressed that through his dedication and skill he was able to bring back the Memorandum of Understanding the Council has just endorsed. The Memorandum forcefully reiterates that Iraq must cooperate fully and unconditionally with the United Nations Special Commission (UNSCOM) and the International Atomic Energy Agency (IAEA). We are all deeply grateful to the Secretary-General for his courageous and diligent efforts. Through his diplomacy, backed by America's willingness to use force, he has achieved what could be, if implemented fully by Iraq, a breakthrough.

I also would like to thank my fellow Council members for their patience and spirit of cooperation. We should take some time to congratulate ourselves, because we've worked hard to reach unanimity on a solid text that we all can and will stand by — and that, if adhered to by Iraq, could lead to a resolution of this crisis.

The issue here is not the so-called eight presidential sites. The principle is access. The Secretary-General's mission to Baghdad has secured commitments from Iraq which, on paper, promise that Iraq will provide UNSCOM full, immediate and unrestricted access to all sites within Iraq. The Secretary-General's mission secured an Iraqi commitment to adhere to the terms of all relevant Security Council resolutions — not just on disarmament, but also on prisoners of war (POWs) and Kuwaiti property. And while we welcome the statements by Iraq, its commitments are mere words on paper. The proof is in the testing.

We are skeptical after six years of broken promises. Iraq has yet to live up to its word, or up to the demands made by the Security Council in its resolution.

Yet, we hope the Memorandum of Understanding, signed by the Iraqi Deputy Prime Minister and the Secretary-General, will mark an end to Iraq's policy of non-cooperation and confrontation and will lead to Iraq's full compliance with all relevant Security Council resolutions.

We look forward to receiving the Secretary-General's proposed procedures for the presidential sites, and we have full confidence that the guidelines will conform to all Council resolutions.

We have full faith in the United Nations Special Commission and its Executive Chairman. We will be watching UNSCOM's inspections to be sure that Iraq has provided full and unrestricted access to UNSCOM — access that Security Council resolutions demand and require.

The resolution that this Council has just adopted unanimously states this plainly yet eloquently. Iraq must comply with Security Council resolutions or else face the consequences of its actions. Any, repeat any, attempt by Iraq to provide less than immediate, unrestricted and unconditional access to any site will, as this resolution states, result in the severest consequences for Iraq.

This resolution also provides for a new beginning for Iraq to cooperate fully with UNSCOM and the IAEA. The Secretary-General's initiative offers us all new hope. But only Iraq has the choice, only Iraq holds the key. And that key is full and complete cooperation. Unless Iraq demonstrates that it is ready to rejoin the international community and abide by the rules of civilized behaviour, it can expect nothing but certain punishment and continued isolation. The choice, as I said, is Iraq's.

Mr. Lavrov (Russian Federation) (*interpretation from Russian*): First of all, allow me to express our deep satisfaction to today see you, Sir, in this Chamber serving as the President of the Security Council during the month when Gambia has taken on the responsibilities of the presidency. We also are grateful to your predecessor, from whom you have taken the baton of Africa in the work of the Security Council. We have all been very lucky to have been working this month and last

under the presidency of Africa, which has given the world many wise and thoughtful political leaders.

Russia has consistently been committed to a comprehensive implementation of the resolutions of the Security Council to settle the crisis in the Persian Gulf. We have completely supported the activities undertaken by the United Nations Special Commission and the International Atomic Energy Agency to carry out their mandates. We have unswervingly striven to bring about Iraq's complete fulfilment of its obligations under those resolutions. That is the only way that sanctions can be lifted. In this regard, to comply strictly with resolution 687 (1991), the first step will be to lift the oil embargo once all the Iraqi "disarmament dossier" issues have been dealt with and moved to the long-term-monitoring stage.

Thanks to the successful mission of the Secretary-General to Iraq, there exists a real opportunity to speed up the process of achieving a comprehensive settlement in the Persian Gulf. Moscow greatly appreciates the agreement between the Secretary-General and the Iraqi Administration. It is a major diplomatic success for the entire international community, and it testifies to the effectiveness of the instruments the United Nations has to peacefully resolve international conflicts. We pay tribute to the diplomatic skill, wisdom and courage of the Secretary-General in defending the principles of the United Nations Charter.

Russia has taken concrete steps to support the Secretary-General's mission and has done everything possible to overcome the crisis relating to the activity of the United Nations Special Commission in Iraq. My country was guided, moreover, by the main goals: the need for full elimination of Iraq's weapons of mass destruction, maintaining United Nations monitoring in this field and avoiding the extremely dangerous consequences for the entire region in the event of an uncontrolled development of the situation.

The Memorandum of Understanding, signed in Baghdad on 23 February 1998, meets these goals. The United Nations Special Commission has been given the opportunity to continue its work unhindered in Iraq on the basis of current procedures, in full compliance with the decisions of the Council, including the need to respect Iraq's sovereignty, dignity and legitimate security concerns. A firm basis has been laid to speed up the implementation of the recommendations made last November by the special session of the Special Commission as to the need to make its work more effective and to enjoy broader international support. Russia, for its part, has already made proposals to the Special Commission for further enhancement of its participation in the Commission's activities.

We also expect a rapid clarification of the agreed-upon procedures for examining and inspecting the presidential sites, so as to promptly get on with full implementation of the Memorandum of Understanding, under the control of the Secretary-General. The Memorandum has full legal force. It meets all the generally accepted norms for the practice of international law in the area of international agreements. Already approved by the Security Council on 24 February when the Secretary-General reported to Council members on the results of his mission, this was addressed by the Council President in a statement on that very same day.

The resolution adopted today, despite the complicated process for harmonizing it, reflects many points fundamental for us and for many other delegations. This made it possible to ensure a consensus in the Council.

The main goal of the resolution is not only to again reaffirm support for the Secretary-General's mission, but also to officially approve the Memorandum and to emphasize the need for its rapid and full implementation. The resolution contains nothing that would go beyond the boundaries of the agreements achieved by the Secretary-General in Baghdad. It is important that the resolution contains a confirmation of Iraq's obligations and that there is mention of the commitment of all United Nations members to the sovereignty, territorial integrity and political independence of Iraq, Kuwait and the neighbouring States.

The resolution contains a political warning to Iraq, whereby new violations by that country will have extremely serious consequences. At the same time, there has been full observance of the legal prerogatives of the Security Council, in accordance with the United Nations Charter. The resolution clearly states that it is precisely the Security Council which will directly ensure its implementation, including the adoption of appropriate decisions. Therefore, any hint of automaticity with regard to the application of force has been excluded; that would not be acceptable for the majority of the Council's members.

A special role in reaching consensus was played by the clear and unambiguous statements by the sponsors of the draft resolution during informal consultations about

the absence in the text of such automaticity. If the Memorandum of Understanding is violated, which we hope will not happen, then the Security Council would discuss the situation that would have arisen at that time and would take the relevant decision. In the statement of the representative of Japan at today's official meeting, this position was clearly confirmed on behalf of the sponsors. We are grateful for this.

No one can ignore the resolution adopted today and attempt to act by bypassing the Security Council. At the same time, the resolution clearly shows that there is a light at the end of the tunnel by confirming that, with regard to the current sanctions regime, the Council will be guided by the provisions of its resolution 687 (1991), which include, of course, paragraph 22 on the criteria for lifting the oil embargo. We hope that this will take place soon.

The President: I thank the representative of the Russian Federation for his kind words addressed to me.

I shall now make a statement in my capacity as Secretary of State for Foreign Affairs of the Gambia.

The situation in Iraq and its relations with the United Nations have been very disturbing for a long time, and more particularly in the past few weeks. Following the ceasefire agreements of 1991, Iraq has been in constant violation of its obligations to the United Nations.

Notwithstanding these violations, the United Nations has been considerate enough to put in place the oil-for-food programme, which was recently generously increased as per Security Council resolution 1153 (1998), a humanitarian gesture geared towards alleviating some of the hardship faced by the Iraqi people. This programme is apparently a successful one.

Reports reaching the Council, however, have revealed that Iraq has constantly obstructed the United Nations Special Commission (UNSCOM) in the performance of its duties and denied the Commission access to the eight presidential sites it unilaterally declared as sensitive sites. The reports also reveal that Iraq is not just being obstructive, but also not transparent in its disclosures. It is the position of my delegation that Iraq must comply with its obligations or be made to comply.

The Memorandum of Understanding signed between the Secretary-General and the Deputy Prime Minister of Iraq is a very welcome window of opportunity. We once again congratulate the Secretary-General for his heroic achievement. This is a clear manifestation that preventive diplomacy is the best solution to threats to world peace. My delegation applauds this achievement. It has brought great relief to the world and will thus remain indelible in the annals of history of the United Nations.

The present Iraqi issue has revealed how very peace-loving this world is, and thus we must always endeavour to give the world that which it cherishes: peace for humanity. We hope that Iraq will share the same sentiments.

While we call on Iraq to comply with its obligations, it is our belief that this Council should be prepared to act should Iraq, as usual, violate its obligations under the Memorandum of Understanding and/or other relevant resolutions.

My delegation wishes to take this opportunity to register our profound appreciation for the job done by the sponsors of the present resolution on Iraq. The lengthy consultations that took place recently and their present outcome clearly manifest the unity of this Council. The present resolution is a welcome idea. It has very important provisions which my delegation believes should be applauded in lending our support to it.

In paragraph 1, the resolution clearly endorses and approves the noteworthy achievement of the Secretary-General. This resolution is not meant to address the question of automaticity.

I now resume my functions as President of the Security Council.

The Council will now hear statements under rule 37 of its provisional rules of procedure.

The President: I should like to inform the Council that I have received a letter from the representative of Egypt, in which he requests to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the discussion, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Elaraby (Egypt) took the seat reserved for him at the side of the Council chamber.

The President: The next speaker on my list is the representative of Mexico. I invite him to take a seat at the Council table and to make his statement.

Mr. Tello (Mexico)(*interpretation from Spanish*): Allow me at the outset to congratulate you, Mr. President, on your country's assumption of the presidency of the Security Council for the month of March. I also wish to congratulate your predecessor, the Permanent Representative of Gabon, who presided with great skill over the work of the Council in February, a month characterized by intensive activity.

My delegation is participating in this debate today to reaffirm Mexico's unswerving commitment to the purposes and principles of the United Nations Charter. The history of the Organization has undoubtedly recorded successes and failures, stagnation and creative spirit. We are gathered here today to pay tribute to diplomacy, to bear witness to the glowing possibilities still offered by the Charter and its institutions.

Mexico is a country firmly convinced that the peaceful resolution of disputes must prevail at all times as a means of choice to reconcile differences and foster understanding. This is one of the immutable principles governing my country's foreign policy, principles that are rooted in our history and peaceful tradition and are enshrined in our Constitution.

Mexico wishes to express once again its gratitude for the steps taken by various countries and organizations to reach a diplomatic solution to the dispute that arose with respect to United Nations inspections in Iraq.

My Government has already expressed its full support for and solidarity with the delicate and crucial mission undertaken by Mr. Kofi Annan, Secretary-General of our Organization, to find a political solution that would ensure full compliance with United Nations resolutions and avoid the use of force. For that reason, I am most pleased to extend my sincere congratulations to the Secretary-General. His mission, of course, had considerable means and expressions of broad support, but his talent, skill and perseverance showed the valued of diplomacy and raised high the name of the United Nations.

The agreement reached, thanks to the Secretary-General's endeavours with the highest authorities of the Government of Iraq, contains the commitments necessary to give full effect to the resolutions of the Security Council. My Government welcomes this outcome. We trust that the Government of Iraq will show good faith and will adhere to the obligations entered into. This undoubtedly constitutes the best path towards a new approach to international peace and security: replacing acts of defiance and force with measures to foster peaceful coexistence and make it possible, respect for international law and negotiated solutions to disputes.

The ideals of San Francisco are alive and well. Recent events have shown that we can and should aspire to civilized coexistence among the peoples of the earth, a coexistence in which arguments of reason, equality, justice, democracy and law prevail. The United Nations continues to be the pre-eminent forum of human society in which to achieve that objective.

The President: I thank the representative of Mexico for his kind words addressed to me.

The next speaker on my list is the representative of Pakistan. I invite him to take a seat at the Council table and to make his statement.

Mr. Kamal (Pakistan): Allow me at the outset to express my pleasure at addressing the Council under your distinguished presidency, Sir, and our appreciation to your predecessor for the excellent manner in which he conducted the affairs of the Council during the previous month.

My delegation would like to congratulate the Secretary-General for his sincere and sustained efforts in finding a peaceful resolution of the crisis in the Gulf. We welcome the Security Council's endorsement of the agreement which he so painstakingly negotiated in Baghdad. In the end, good sense and wisdom appear to have prevailed, and we can all rejoice.

Pakistan's principled position on this issue is well known. In a letter addressed to the Secretary-General on 21 February 1998, the Prime Minister of Pakistan reiterated that,

"Pakistan supports the full implementation, in letter and spirit, of all United Nations resolutions without exception, whether they pertain to Iraq, Kashmir, Palestine or any other issue".

Pakistan upholds the principle of sovereignty and territorial integrity of all countries. We have constantly advised against the use of force. Military action against Iraq would only increase the hardships of the innocent Iraqi people, who have already suffered gravely over the last seven years due to the sanctions and deprivations imposed on them.

Pakistan earnestly hopes that the approval of the Memorandum of Understanding by the Security Council will pave the way for the full and scrupulous implementation of the relevant Security Council resolutions, as well as for the early lifting of sanctions against Iraq. We urge all parties to faithfully fulfil their respective obligations under the Memorandum of Understanding so that that day can dawn soon.

The President: I thank the representative of Pakistan for his kind words addressed to me.

The next speaker inscribed on my list is the representative of Malaysia. I invite him to take a seat at the Council table and to make his statement.

Mr. Hasmy (Malaysia): I wish to extend my delegation's profound appreciation and congratulations to the Secretary-General, His Excellency Mr. Kofi Annan, for undertaking his bold initiative to visit Baghdad and for concluding an agreement with the Iraqi Government on 23 February 1998 which has profound implications for international peace and security. The Secretary-General had prepared his visit well, with the unanimous support of the Security Council and with the encouragement and prayers of the entire international community. Malaysia warmly welcomes the agreement concluded between the Secretary-General and the Government of Iraq, which has averted what we believe would have been an unnecessary and senseless military attack on Iraq that would inevitably have resulted in the tragic loss of innocent lives and the destruction of properties.

The Secretary-General, in accomplishing his mission, has, in the words of my Foreign Minister in his letter to the Secretary-General late today,

> "reaffirmed the authority of the office of the United Nations Secretary-General as well as restored, at a very critical time, mutual trust and understanding between and among Member States as well as respect for international law and the dignity and sovereignty of Member States, and not only prevented a senseless military conflict but also returned the United Nations to its proper place at the forefront of international diplomacy."

Malaysia draws a great sense of relief and gratification from the fact that in the end, wisdom, common sense and constructive, creative diplomacy by all concerned — and particularly by the Secretary-General — have prevailed over the initial temptation to use force.

Malaysia served in the Council in 1990, when the invasion of Kuwait took place. Together with other members of the Security Council, we supported Security Council resolution 678 (1990) calling for the withdrawal of all Iraqi forces from Kuwait. Today's Council meeting takes place amid developments precipitated by the crisis over full access by the United Nations Special Commission (UNSCOM) to all suspected weapons-of-mass-destruction sites in Iraq and Iraq's full compliance with all Security Council resolutions. Malaysia joins the rest of the international community in calling on Iraq to honour all the relevant Security Council resolutions, including the resolution just adopted, unequivocally and without reservations, while at the same time calling on the Council to respect the sovereignty, dignity and territorial integrity of Iraq.

It is Malaysia's fervent hope that the Memorandum of Understanding signed by the Secretary-General, Mr. Kofi Annan, and by the Deputy Prime Minister of Iraq, Mr. Tariq Aziz, and the resolution just adopted will be upheld by all the parties concerned, thereby resolving once and for all the dispute between Iraq and the Security Council over the issue of UNSCOM's access to these suspected weapons-of-mass-destruction sites in Iraq. Malaysia further hopes that following this latest agreement and the adoption of today's resolution, there will no longer be any necessity or excuse for military action against Iraq and that there will be no further misunderstanding on this issue, which, should it unfortunately arise again, must be resolved through diplomacy rather than the use of force. This, to my delegation, is the only acceptable and civilized way in which relations between nations should be conducted, consistent with the Charter of the United Nations. In our view, the use of bombs in these circumstances, however smart these bombs may be, would indeed be a sad failure of diplomacy and an unwillingness to use it to its utmost limits.

Malaysia continues to be profoundly concerned at the desperate plight of the long-suffering people of Iraq,

many of whom are experiencing the debilitating effects of the seven years of sanctions imposed on them by the international community. We therefore implore members of the Council, in the name of humanity, not to mete out further punishment to the hapless Iraqi people and to ensure the smooth implementation of Council resolution 986 (1995) as well as resolution 1153 (1998), which was adopted recently. We hope with that with the full implementation of this latest agreement, Iraq will be able to see the longed-for light at the end of the tunnel.

Malaysia warmly welcomes and strongly supports the recent decision of the Council to double the oil-for-food programme as a practical arrangement to avoid further deterioration of the current humanitarian situation in Iraq. It is Malaysia's hope that this will bring an additional measure of relief to alleviate the plight of the people of Iraq and ensure that they are allowed to benefit from their rich natural resources, as set out in the provisions of Security Council resolution 986 (1995). It remains our hope and prayer that with the resolution of the current differences between the international community and Iraq, the sanctions on that country will be lifted in the near future.

The President: I thank the representative of Malaysia for the kind words he addressed to me.

The next speaker inscribed on my list is the representative of Argentina. I invite him to take a seat at the Council table and to make his statement.

Mr. Petrella (Argentina) (*interpretation from Spanish*): May I congratulate the Minister for Foreign Affairs of Gambia for serving as President of the Council in this month of March. We would like also to extend our warmest thanks to Ambassador Dangue Réwaka of Gabon for having contributed, during his term in the month of February, to creating an atmosphere conducive to the Secretary-General's complex and far-reaching mission in Baghdad.

In the same context and at the same time, on 17 February last, under circumstances of dramatic uncertainty, the President of Argentina, Mr. Carlos Menem, addressed a letter to the Secretary-General in support of a diplomatic solution to this serious crisis.

Today we can welcome the determination, the calm and the diplomatic skill shown by the Secretary-General and those officials who accompanied him on his good-offices mission to the Government of Iraq. Because of that success, the indispensable role of the United Nations in the maintenance of international peace and security has been enhanced and has gained greater visibility. In addition, the jurisdiction of the Security Council has been strengthened. Its responsibilities are clearly set out in the Charter and may not under any circumstances be evaded.

The Memorandum of Understanding reached by the Secretary-General in Baghdad addresses the question of compliance with Security Council resolutions, including observance of those aspects related to the mandate of the Special Commission. That agreement should be strictly interpreted and complied with in good faith and in conformity with international law. This too is the clear message that the Government of Argentina, holding the pro tem presidency of the Southern Cone Common Market, sent on 26 February last on behalf of that organization.

Furthermore, we believe that the statement made by the Secretary-General at the start of today's meeting very accurately and eloquently summarized the thinking of the Government of Argentina.

Lastly, we express to all members of this Council our gratitude for the sensitivity shown in the unanimous adoption of resolution 1153 (1998). We hope that its prompt implementation will substantially improve the humanitarian situation of the people of Iraq and contribute to mobilizing definitively the economy of the region, which has excellent human potential for progress and sustained development.

The President: I thank the representative of Argentina for the kind words he addressed to me.

The next speaker is the representative of Egypt. I invite him to take a seat at the Council table and to make his statement.

Mr. Elaraby (Egypt) (*interpretation from Arabic*): At the outset of my statement, I would like to welcome you, Sir, Your Excellency the Minister for Foreign Affairs of Gambia, and congratulate you on your assumption of the presidency of the Council for this month. I am also pleased to extend my sincerest appreciation to the Permanent Representative of Gabon, His Excellency Mr. Dangue Réwaka, for his able presidency of the Council last month.

Firstly, I would on behalf of Egypt like to pay tribute to the sincere and persistent efforts of the

Secretary-General and congratulate him for the historic success achieved in accordance with his responsibilities under the Charter. He managed to defuse the crisis and sign a Memorandum of Understanding with Iraq that allows for special arrangements for the inspection of presidential sites, which, in any country throughout the world, are considered important symbols of sovereignty. The intensive negotiations that were held by the Secretary-General with all the members of the Council, both permanent and non-permanent, as well as his constant contacts with the leaders of States that were able to influence the course of the crisis have undoubtedly been fruitful and saved the world from sliding into the so-called abyss of the use of force. Certainly, it could have had devastating effects, not only on the Iraqi people, but also on the peoples of the region as well as on peace and stability in the region. It could have even spilt over to the world as a whole.

Undoubtedly, in Egypt we think that the success of the Secretary-General in his historic mission attests to the central role that the United Nations must perform in order to maintain international peace and security in all parts of the world. We think that the success of his mission demonstrates that it is necessary to depend on the him when it comes to very sensitive diplomatic missions.

Since the outbreak of the crisis, Egypt has expressed its rejection of the use of military force as a means to settling international disputes. In general, the use of force is not only prohibited internationally under the rules of international law but also in accordance with the Article 2, paragraph 4, of the Charter. There are controls in Article 42 on when force can be resorted to, and also in Article 51, which is related to legitimate self-defence. In all cases, these controls must be subjected to the discretion of the Council.

Egypt hastened to intensify its contacts with all the concerned parties. President Hosni Mubarak, when the crisis was at its height, sent a number of letters to the Iraqi President urging him to take part in reaching a solution that was in conformity with the Security Council resolutions. The President also made a number of contacts with the leaders of the Arab States with all influential countries and with the Secretary-General. He also dispatched Mr. Esmat Abdul Maguid, the Secretary-General of the League of Arab States, to Baghdad to exert his utmost influence to find a peaceful solution to the crisis, which contributed, along with the Russian Federation and France as well as other States, to creating a favourable atmosphere for the successful visit of the Secretary-General to Baghdad.

The United Nations Special Commission and the International Atomic Energy Agency for almost seven years have made tangible progress in the disarmament of prohibited weapons in Iraq in accordance with paragraphs 8 to 13 of Security Council resolution 687 (1991). This progress must be taken into consideration when taking stock of Iraqi compliance as a prerequisite for lifting the sanctions that have led to the deterioration of the living conditions of the Iraqi people. In this connection, Egypt would like to see similar progress made when it comes to the question of the Kuwaiti prisoners of war, missing persons, and properties.

In conclusion, the Egyptian delegation places great importance on recalling paragraph 14 of resolution 687 (1991), related to zones free from weapons of mass destruction, which has yet to be implemented. Since 1990, Egypt has requested that this paragraph should include all of the countries of the region without any exception. While we confirm the importance of Iraq complying with all its commitments in accordance with the relevant Security Council resolutions, it is necessary for the Council not to ignore seriously considering the implementation of this important paragraph in order to achieve national security of States in the region; such consideration would also help the Security Council to discharge its responsibilities without any selectivity.

The President: I thank the representative of Egypt for the kind words he addressed to me.

I should like to inform the Council that I have received a letter from the representatives of Kuwait and Peru, in which they request to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Abulhasan (Kuwait) and Mr. Guillén (Peru) took the seats reserved for them at the side of the Council Chamber.

The President: The next speaker is the representative of Peru. I invite him to take a seat at the Council table and to make his statement.

Mr. Guillén (Peru) (*interpretation from Spanish*): I have the pleasure to extend my Government's congratulations to you, Sir, on your assumption of the presidency, as well as to your distinguished predecessor. I would also like to thank you for this opportunity to speak under rule 37 of the provisional rules of procedure of the Security Council, whereby Member States have an opportunity to speak on matters before the Council.

Peru has taken the floor on this occasion, first of all, to welcome the fact that the Security Council authorized the Secretary-General to carry out his mission to see to it that the most basic tenets of law prevail, in fulfilment of the decisions adopted by the United Nations.

Fortunately, the Secretary-General's mission took place under circumstances and with a mandate quite different from those of January 1991. The Memorandum of Understanding of 23 February 1998, which the Security Council has now endorsed, highlights not only the initiative, skill and authority of the Secretary-General, Mr. Kofi Annan, but also the importance of his functions. The Government of Peru vigorously supports the Secretary-General's action.

This success in reaching an agreement also shows that the norms of international law should be the pillars of international peace and security, as the Security Council itself decided in adopting resolution 687 (1991) of 3 April 1991, which punished the breach of international norms protecting the integrity of State boundaries, when an attempt was made, through the invasion of Kuwait, to make force prevail over law.

We earnestly hope that compliance by the Government of Iraq with Council resolutions, along with an awareness of humanitarian issues, will put an end to the suffering of the Iraqi people.

Finally, and above all, this is an agreement with full legal validity signed on behalf of the entire United Nations and bearing on the maintenance of international peace and security. In other words, this event is also an acknowledgment of the Organization as a whole.

The President: I thank the representative of Peru for the kind words he addressed to me.

The next speaker is the representative of Kuwait. I invite him to take a seat at the Council table and to make his statement.

Mr. Abulhasan (Kuwait) (*interpretation from Arabic*): It gives me great pleasure, Sir, to congratulate you on your assumption of the presidency of the Security Council for the month of March. Your presence in the Chair has enhanced today's meeting. We are confident that the diplomatic skills of Ambassador Momodou Sallah and the entire Gambian delegation will enable the Council to achieve success in its work.

I wish also to pay tribute to the Permanent Representative of Gabon for the manner in which he presided over the work of the Council in February.

The Security Council has just adopted a resolution that we in Kuwait view as an outstanding and most important example of diplomacy supported by force — and by a firmness that is reflected in this evening's unanimous vote. The resolution endorses the Memorandum of Understanding agreed with the Government of Iraq by the Secretary-General, Mr. Kofi Annan. That achievement resolved a problem that came close to imperiling peace and stability in our region as well as threatening the people of Iraq and all the other peoples of the region. Through its Council of Ministers, Kuwait issued a statement immediately upon the Secretary-General's triumphant return, officially endorsing the Memorandum of Understanding.

Kuwait has always earnestly followed a policy aimed at protecting our region from crises resulting from a failure to implement relevant Security Council resolutions. For that reason, we hope that the Iraqi Government — having tested the determination of the Security Council, the probity of the Secretary-General and the unanimous nature of the message he carried — will implement the Memorandum of Understanding in full, both in letter and in spirit, along with the relevant Security Council resolutions.

We in Kuwait and in all the other countries of the Gulf Cooperation Council believe that there is an organic relationship between the success of the United Nations Special Commission (UNSCOM) and peace and security in our region. That is why all statements issued by Kuwait or by any other member of the Gulf Cooperation Council — most recently the statement adopted at the Gulf Cooperation Council summit conference — have called upon Iraq to cooperate with the Special Commission. We have on earlier occasions stated our full support for the Special Commission and its efforts to carry out its mandate.

We fully understand the eagerness of the Security Council to protect Iraqis as individuals and other inhabitants of the region from the scourge of weapons of mass destruction. But we also believe that there are other scourges sorely afflicting many Kuwaitis whose fate is unknown — prisoners of war and detainees held in Iraq — and many nationals of third countries. Here I thank the representatives of Bahrain and of Slovenia, along with other representatives, who spoke of the tragedy of Kuwaiti prisoners of war and detainees. Addressing this problem is among the basic commitments that Iraq must meet before there is any question of lifting the sanctions.

We in Kuwait pinned high hopes on the Secretary-General's mission and on today's meeting of the Security Council. Kuwaitis are praying and beseeching the Council to attach the same importance to Kuwaitis and Kuwaiti prisoners and detainees as it has attached to others in the region when it sought to save them from the threat of weapons of mass destruction. We know that neither the Charter nor international law discriminates among human beings.

That is why I address the Council not in my official capacity, but as a Kuwaiti, a Kuwaiti individual who carries here at the United Nations the responsibility of defending the destiny of the Kuwaiti detainees and prisoners, who represent 1 per cent of the total population of Kuwait. I repeat, 1 per cent of the total population. Even if this number were much smaller, a human being is a human being, and respect for his dignity must come before any other consideration.

That is why I come to the Council to present the tragedy of these innocent people. They expect from the Council the same enthusiasm that they felt it expressed when it dealt with the subject of Kuwaiti detainees, prisoners of war and citizens of third countries.

In conclusion, I would like to say that Kuwait has blessed the recent Council resolution 1153 (1998), which permits an increase in oil sales to $5.256 billion, because Kuwait suffers exactly as the Iraqi people do. That is why, when a measure is taken to relieve the Iraqi people, we in Kuwait bless it without any reservations, and we expect the Council to take similar measures when it comes to the Kuwaiti prisoners and detainees.

We would like to conclude by thanking God and thanking you, Mr. President.

The President: I thank the representative of Kuwait for his kind words addressed to me.

There are no further speakers on my list. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The Security Council will remain seized of the matter.

The meeting rose at 9.15 p.m.